None for the petitioner.
Mr IPS Sidhu, Sr DAG Punjab.
Mr OP Goel, Sr Advocate with
Ms Priya Khurana, Advocate for the complainant.

At the time of motion hearing vide order dated 22.5.2007, it was inter alia stated by learned counsel for the petitioner that the petitioner has always been ready and willing to execute the sale deed provided the balance sale consideration is paid to him before the date as fixed in the agreement. It was also submitted that in fact the prices of land had fallen and the complainant is not interested in execution of the sale deed and, therefore, he is pressurizing the petitioner to return the earnest money. On the basis of the said contention, notice of motion was issued and in the event of arrest, interim bail was granted. On 12.10.2007, when the case was taken up, it was stated by learned counsel for the State that the petitioner does not have any power of attorney of his brother – Surinder Singh authorizing the petitioner to sell the land of Surinder Singh. It was also submitted that the petitioner was not willing to sell the land on receipt of the balance sale consideration. Learned counsel for the petitioner took time to seek instructions in this regard. The case was adjourned to 1.11.2007 on which date it could not be taken up and it was fixed for 14.1.2008. The complainant filed Criminal Misc 97125 of 2007 for preponement. Notice of the misc application was issued to the learned counsel for the petitioner for 7.12.2007. On that date, no one appeared on behalf of the petitioner. Accordingly, the misc application was allowed and the date of hearing in the main case was preponed to today and it was ordered to be shown in the urgent list. Today also no one is present on behalf of the petitioner.

Learned senior counsel for the complainant has submitted that learned counsel for the petitioner has been duly informed.

In view of the aforesaid circumstances, the criminal misc petition filed by the petitioner is dismissed.

11.12.2007. (S.S.SARON)
ASR JUDGE